



Highlight:

13 NOV 1976

CIA Publishes Records Destruction Notice. Moratorium on Destruction
Extends to 10 December 1976.

CENTRAL INTELLIGENCE AGENCY

Records Destruction Policy

On September 7, 1976 a notice was issued to all CIA personnel setting out policy and procedures for the control of records destruction. The purpose of this Notice is to insure that destruction of unnecessary or improperly maintained records is carried out in the manner prescribed by statute and by clearance of the Senate Select Committee on Intelligence.

Records subject to the moratorium on destruction will not be destroyed prior to December 10, 1976.

The text of the Notice is as follows:

RECORDS CONTROL SCHEDULES AND THE DESTRUCTION MORATORIUM

1. CIA has statutory obligations (44 U.S.C. 33) to obtain approval of the Administrator of General Services for the retention and destruction of records. The mechanism for obtaining this approval is the submission of records control schedules to the National Archives and Records Service (NARS) for approval by the Archivist of the United States. GSA Bulletin FPMR B-62, dated 22 January 1976, requires Federal agencies to submit to NARS updated records control schedules by 31 December 1976. In a memorandum dated 20 April 1976, the DCI directed that Agency records control schedules be updated by 30 September 1976 and processed through the Directorate of Administration for approval by NARS prior to the destruction of records.

2. Senate Resolution 21, dated 21 January 1975, established the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities. The Senate leadership requested in a letter dated 27 January 1975 that the Agency not dispose of any records or documents bearing on the subjects under investigation by the Select Committee. In a memorandum dated 28 January 1975, Mr. Colby directed that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed. This was extended to include practically all Agency documents. This hold on destruction has since been referred to as "the moratorium." In a letter to the Senate leadership dated 22 June 1976, the DCI extended the moratorium on destruction of records until 10 December 1976.

3. CIA policy on destruction of records is that:

- a. All records, including those falling under General Records Schedules, will be covered by records control schedules approved by NARS (with a copy provided to the Senate Select Committee on Intelligence) prior to their destruction.
- b. Routine administrative records not involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed upon receipt of NARS approval and after appropriate clearance from the Senate Select Committee.

- c. Records involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed after NARS approval, and appropriate clearance from the Senate Select Committee but in no case prior to 10 December 1976.
- d. Any Agency documents and materials that are identified by the General Counsel as the subject of litigation or of possible litigation, or as of interest in matters under investigation by the Justice Department, will not be destroyed without the prior approval of the General Counsel. This includes documents and materials relating to Freedom of Information Act and Privacy Act requests to the Agency.
- e. Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

/s/John E. Blake

John F. Blake
Deputy Director for Administration

SUBJECT: Records Destruction Policy

COORDINATION:

STATINTL

/s/

5 Nov. 1976

STATINTL

Date

~~Special Assistant,~~
Office of General Counsel

STATINTL

21 SEP 1976

Date

Acting Chief,
Information Systems
Analysis Staff

STATINTL

ORIGINATOR: OLC
Retyped: DDA/ISAS

Distribution:

Original & 2 - Office of the Federal Register

2 - DDA *Ch. Subject*

1 - OGC

1 - OLC

1 - AI/DDA

1 - DDA/ISAS

Approved For Release 2001/08/07 : CIA-RDP79-00498A000600060021-6

ROUTING AND RECORD SLIP

SUBJECT: (Optional)
 Notice for Federal Register:
 Records Destruction Policy

FROM:
 [redacted] OGC

EXTENSION NO.
 [redacted]

DATE
 5 November 1976

TO: (Officer designation, room number, and building)
 DATE
 RECEIVED
 FORWARDED
 OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.
 AI/DDA
 7 D 02

11/5

Hal,

2.

The proposed publication in the Federal Register, herewith for Jack Blake's signature, presented several questions which have been resolved. Two points for your attention however:

3.

A. The reference to Section 33 of Title 44 of the Code in the first sentence of the Agency notice is incorrect. The correct citation is Chapter 33 of Title 44. We do not suggest, however, that the Agency notice needs reissuance. The error is a minor one and I think it does no violence to anything if we simply correct that citation before we forward the package to the Federal Register people.

4.

B. If after Jack approves, you return the package to us, we will get it to the Federal Register people early next week. Under the Federal Register procedures, we are also required to furnish a head note for the index portion of the Federal Register. We will prepare that and send it with the submission.

5.

[redacted]

ROUTING AND RECORD SHEET

SUBJECT: (Optional) Notice for Federal Register:
 Records Destruction Policy

DATA Registry
 File Records

FROM: [REDACTED] AC/ISAS EXTENSION: [REDACTED] NO. [REDACTED]
 DATE: 21 September 1976

TO: (Officer designation, room number, and building) DATE RECEIVED FORWARDED OFFICER'S INITIALS COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. [REDACTED] 7D34 Headquarters

2. AI/DDA 7D02 Headquarters

3. EO/DDA 7D24 Headquarters

ADDA 7D24 Headquarters

5. AC/ISAS 5B2828 Headquarters

6.

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15.

1. For coordination

3. Please note: DDA signature is required on original and two copies.

2-4

As can be noted from the second routing sheet, this has been much delayed. We are committed to its publication.